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E.O. 12958: DECL: 05/10/2019
TAGS: [PHUM](#) [PGOV](#) [RP](#)
SUBJECT: DAVAO OFFICIALS DENY VIGILANTE KILLINGS, BUT HUMAN
RIGHTS COMMISSION BLAMES MAYOR

REF: A. MANILA 0757 (AMBASSADOR DISCUSSES DAVAO KILLINGS
REPORT WITH HUMAN RIGHTS WATCH)
[1](#)B. MANILA 0563 (BRUTAL MURDER INVESTIGATED AS
EXTRAJUDICIAL KILLING)
[1](#)C. 08 MANILA 1790 (DAVAO: A MINDANAO SUCCESS STORY)

Classified By: Ambassador Kristie A. Kenney,
reasons 1.4 (b) and (d).

[1](#)1. (C) SUMMARY: Concerned about the continued incidence of vigilante killings in the southern Philippines city of Davao, the Ambassador dispatched poloff to look into the facts behind a recent NGO report on the killings (ref A), speak to public officials and civil society groups about the issue, and understand how the Mission might effectively support Philippine investigations into these human rights violations.

The Davao City police chief and Vice Mayor Sara Duterte, daughter of Davao's tough anti-crime Mayor Rodrigo Duterte, both brushed aside public concern over the killings, which they described as regular murder cases. Civil society groups in direct contact with victims' families, however, affirmed that the vigilante killings are widely known to be supported by the police and enjoy significant popular support from average citizens. Lawyers working on these cases, some of whom expressed concern for their personal safety, applauded the work of the Philippine Commission on Human Rights to locate witnesses, collect their testimony in undisclosed and protected locations, and seek their agreement to testify in court. The Commission's Regional Director said that in private conversations Mayor Duterte all but admitted his role in supporting the killings. The Commission's public hearings in Davao to collect testimony will continue through May, to be followed by a final report. Pending the report's conclusions, the Mission will evaluate how USG assistance can best support the Philippine government and civil society to pursue credible investigations into these crimes. END SUMMARY.

CIVIL SOCIETY GROUPS AWAIT HEARING OUTCOME

[1](#)2. (C) During an April 23 and 24 visit to the Mindanao city of Davao, poloff held meetings with key public officials and civil society leaders to discuss the ongoing incidence of vigilante killings in the city and understand potential avenues for a Mission response. In private meetings with the Coalition Against Summary Execution (CASE) and the Tambayan Children's Center, two organizations that have tracked vigilante killings for more than 10 years, poloff confirmed the most prominent facts noted by Human Rights Watch in their recent report (ref A): there is documented evidence of hundreds of vigilante-style killings of civilians in Davao city since 1998; victims are usually petty criminals and street children; killings are perpetrated in exchange for payment; police fail to investigate these crimes and protect witnesses; and the killings have broad public support. CASE and Tambayan leaders said that many witnesses existed, but

none trusted the police given alleged police complicity in the killings, making testimony that could withstand court scrutiny difficult to gather. CASE attorneys and Tambayan officers said they repeatedly tried to engage Davao's Mayor Rodrigo Duterte on the vigilante killings since his election in 2001, hoping to enlist his support to deter vigilantism, but Duterte consistently refused to talk to them. CASE and Tambayan applauded the forcefulness of Philippine Commission on Human Rights (CHR) Chairperson Leila DeLima at public hearings in April, where she challenged Duterte to respond to accusations of his involvement in the killings. Uncertain what course of action the CHR would recommend -- and worried about Duterte's potentially volatile reaction -- CASE and Tambayan leaders said they were quietly awaiting the CHR's final report following additional public hearings in May before deciding on a further course of action.

VICE MAYOR AMBIVALENT ABOUT KILLINGS

13. (C) Key public officials steadfastly denied that vigilante killings occur in Davao city. Vice Mayor Sara Duterte, daughter of the outspoken anti-crime Mayor, said the Human Rights Watch Report on vigilante killings was "exaggerated" and that most murders in Davao were "love triangle" and "revenge killings." She noted the police were doing their job by sifting through records from as long as 10 years ago to reexamine some of these incidents to try to obtain leads. While she stated the issue was being handled appropriately, Sara Duterte has kept her distance from any involvement in the issue; she did not attend the CHR's April hearings, and acknowledged that she has never met local civil society groups to discuss their concerns about the killings. As a

shoo-in for her father's seat in the May 2010 elections, civil society groups described Sara Duterte as a tough-minded individual who, like her father, is difficult to engage and generally unresponsive to civil society.

NOT ENOUGH WITNESSES, POLICE SAY

14. (C) At a separate meeting, Davao City Police Director Ramon Apolinario echoed the sentiments of the Vice Mayor. Davao had a lot of murders, he said, many of which remained unsolved, but he insisted they were "regular murders" and killings perpetrated by communist rebels of the New People's Army (NPA) against rebel returnees, and could not be labeled vigilante killings. Apolinario acknowledged that investigations into the murders were on-going, but said that a lack of witnesses willing to come forward, lack of witness protection services, and limited forensics capabilities hindered progress on these cases. To demonstrate the importance of witnesses, he raised the March murder of Rebelyn Pitao, the civilian daughter of a top NPA commander (ref B), whose chief suspects are members of the Armed Forces of the Philippines (AFP). In that investigation, a member of the AFP sought exemption from a summons to testify, fearing his AFP colleagues who may have been involved in Pitao's murder would seek retribution against him if he agreed to speak. Even with 53 unsolved vigilante killings in Davao during the first three months of 2009 -- nearly 30 percent of the 2008 total -- according to a CASE report, Apolinario was decidedly more concerned about the NPA threat.

MAYOR ADMITTED COMPLICITY

15. (C) Commission on Human Rights Regional Director Alberto Sipaco (strictly protect) at a private meeting affirmed that Mayor Duterte knows about the killings and permits them. Recounting a conversation he once had with Duterte, who is his close friend and former fraternity brother, Sipaco said he pleaded with the Mayor to stop vigilante killings and support other methods to reduce crime, like rehabilitation programs for offenders. According to Sipaco, the Mayor responded, "I'm not done yet." Sipaco said he repeatedly attempted to reason with Duterte that the killings were

unlawful and detrimental to society, but Duterte refused to broach the issue. Sipaco expressed a sense of helplessness over the killings, as well as concern for his personal safety, but acknowledged that the CHR was taking its mission in Davao very seriously. On the margins of the public hearings, the CHR was working to locate witnesses, retrieve them in private unmarked cars, collect their testimony in undisclosed and protected locations, and seek their agreement to testify. These intense security measures were necessary to protect witnesses from the police, Sipaco said, who could seek to intimidate or silence witnesses before they had a chance to appear in court.

THE MAYOR'S RAGE: A PERSONAL ANGLE

¶16. (C) CHR Regional Director Sipaco (strictly protect) noted that Mayor Duterte's visible rage against criminality and drugs stemmed from family history: Sipaco claimed that one of Duterte's two sons previously abused drugs, and the Mayor channeled his anger over his son's drug use not just against drug pushers, but also drug users, eventually leading him to embrace vigilante killings as a means to reduce crime. The Mayor's tough anti-crime rhetoric became the hallmark of his governance style, and Davao residents perceived a marked improvement in public safety under his tenure, which many thought contributed to improved prospects for economic growth (ref C). The city's government is known to be relatively advanced among large Philippine cities with regard to its economic development policies and public services like housing, drug rehabilitation, and programs for the poor. With these resources available, and civil society groups like CASE and Tambayan willing to contribute, the city's reliance on extralegal methods to address criminality is misplaced, Sipaco said, since criminals and drug users could be rehabilitated. Still, support for the Mayor's overall policies comes from a dynamic cross-section of influential Davao citizens whom the Mayor has recruited as advisors, including the Regional Chair of the Ulamas League and the leader of a prominent and wealthy Protestant sect, among many others. The Mayor's broad base of support ensures his enduring popularity among different constituencies, but he remains ready to counter those who criticize him and opposition to the Mayor among City Councilors, suffering from their own scandals, remains minimal.

COMMENT

¶17. (C) While international attention on the killings has been elevated as a result of the Human Rights Watch Report, noticeably absent is public outrage among Davao residents. Combined with Mayor Duterte's tight control, this public apathy prevents civil society groups from being more aggressive in tackling the issue. With the police failing to make any progress on investigations, the CHR and civil society groups have become the primary advocates on the issue. The CHR's effectiveness -- and its ultimate success or failure -- will be determined by its ability to cobble together enough witnesses to make strong cases. The CHR, in order to withstand Duterte's anticipated attacks, must also successfully marshal support at the national level from the Department of Justice and the Philippine National Police in order to push cases forward to prosecution. Following the upcoming issuance of the CHR report, the Mission will carefully assess the most viable channels for targeted USG assistance to help civil society groups, the CHR, or other Philippine institutions pursue credible investigations of the Davao vigilante killings.

KENNEY